

OCA FILE LEG

20 October 1988
OCA 3498-88

MEMORANDUM FOR: (See Distribution)

FROM:

Deputy Director for Legislation
Office of Congressional Affairs

STAT

SUBJECT: First Draft - Intelligence Authorization Act
for Fiscal Year 1990

1. Attached for your review and comment is a copy of the first draft of the "Intelligence Authorization Act for Fiscal Year 1990."

2. This draft was prepared based on the "Intelligence Community Legislative Program for the First Session of the 101st Congress," on which we previously solicited your comments.

3. There are several proposals contained in the legislative program for which we are awaiting draft legislation, a section-by-section analysis, and a cost analysis. It is important that we receive your input by 15 November so that we can incorporate your additions into a second draft that I will circulate to you. Listed below you will find a description of the legislative proposals for which we are awaiting input and the agency/department who submitted the draft proposals.

DIA Foreign Language Incentive PayDIA

DIA Overseas Personnel Benefits
ComparabilityDIA

DIA Intelligence College Gift Acceptance
AuthorityDIA

Coast Guard Inclusion Within GDIPDIA

DoD Non-Official Cover AuthorityDIA

- DIA Printing AuthorityDIA
- Exclusion of DIA and NSA Director and
Deputy Director from Flag Rank CeilingDIA/NSA
- Extension of DIA and Military Department
Employee Termination AuthorityDIA/OSD
- NSA Guard ForceNSA
- Secure Promotion for Certain Military
Intelligence OfficersArmy
- U.S. Citizenship for U.S. Army Russian
Institute StaffArmy
- FERS Credit Unhealthful Post ServiceNSA

4. If you have additional proposals that were not included in the legislative program, I would appreciate your submitting these proposals by 15 November as well. I look forward to viewing your proposals.



STAT

OCA 3498-88

SUBJECT: First Draft - Intelligence Authorization ACT
for Fiscal Year 1990

OCA/LEG/[] (19 October 1988)

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20 October 1988
OCA 3497-88

MEMORANDUM FOR: General Counsel
Director of Personnel
DGC/IO/OGC
DGC/AS/OGC
DGC/Lit&ICA/OGC
DGC/OS/OGC

FROM:

Deputy Director for Legislation
Office of Congressional Affairs

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for Fiscal Year 1990

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2. This draft was prepared based on the "Intelligence Community Legislative Program for the First Session of the 101st Congress," on which we previously solicited your comments.

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Former Spouse LegislationOffice of Personnel

FERS Credit for Unhealthful Post

ServiceOffice of Personnel

4. If you have additional proposals that were not included in the legislative program, I would appreciate your submitting these proposals by 15 November as well. I look forward to receiving your proposals.

STAT

OCA 3497-88

SUBJECT: First Draft - Intelligence Authorization Act
for Fiscal Year 1990

OCA/LEG, [REDACTED] (19 October 1988)

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1 - PS Signer

1 - OCA Read

A BILL

To authorize appropriations for fiscal year 1990 for intelligence and intelligence-related activities of the United States Government, the Intelligence Community Staff, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that this Act may be cited as the "Intelligence Authorization Act for Fiscal Year 1990".

TITLE I - INTELLIGENCE ACTIVITIES

Authorization of Appropriations

SEC. 101. Funds are hereby authorized to be appropriated for fiscal year 1990 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

- (1) The Central Intelligence Agency.
- (2) The Department of Defense.
- (3) The Defense Intelligence Agency.
- (4) The National Security Agency.
- (5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
- (6) The Department of State.
- (7) The Department of the Treasury.
- (8) The Department of Energy.
- (9) The Federal Bureau of Investigation.
- (10) The Drug Enforcement Administration.

Classified Schedule of Authorizations

SEC. 102. The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 1990, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared by the Committee of Conference to accompany () of the One Hundred and First Congress.

That Schedule of Authorizations shall be made available to the Committee on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the Executive Branch.

Personnel Ceiling Adjustments

SEC. 103. The Director of Central Intelligence may authorize employment of civilian personnel in excess of the numbers authorized for fiscal year 1990 under sections 102 and 202 of this Act when he determines that such action is necessary to the performance of important intelligence functions, except that such number may not, for any element of the Intelligence Community, exceed 2 per centum of the number of civilian personnel authorized under such sections for such element. The Director of Central Intelligence shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever he exercises the authority granted by this section.

TITLE II
INTELLIGENCE COMMUNITY STAFF

Authorization of Appropriations

SEC. 201. There is authorized to be appropriated for the Intelligence Community Staff for fiscal year 1990 the sum of \$ _____

Authorization of Personnel End Strength

SEC. 202.(a) The Intelligence Community Staff is authorized _____ full-time personnel as of September 30, 1990. Such personnel of the Intelligence Community Staff may be permanent employees of the Intelligence Community Staff or personnel detailed from other elements of the United States Government.

(b) During fiscal year 1990, personnel of the Intelligence Community Staff shall be selected so as to provide appropriate representation from elements of the United States Government engaged in intelligence and intelligence-related activities.

(c) During fiscal year 1990, any officer or employee of the United States or a member of the Armed Forces who is detailed to the Intelligence Community Staff from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of Central Intelligence.

Intelligence Community Staff Administered
in Same Manner as Central Intelligence Agency

SEC. 203. During fiscal year 1990, activities and personnel of the Intelligence Community Staff shall be subject to the provisions of the National Security Act of 1947 (50 U.S.C. 401 et seq.) and the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.) in the same manner as activities and personnel of the Central Intelligence Agency.

TITLE III - CENTRAL INTELLIGENCE AGENCY
RETIREMENT AND DISABILITY SYSTEM

Authorization of Appropriations

SEC. 301. There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 1990 the sum of \$ _____

TITLE IV
CENTRAL INTELLIGENCE AGENCY
ADMINISTRATIVE PROVISIONS

TITLE V
NSA/DIA
PERSONNEL AUTHORITIES IMPROVEMENTS

NSA/DIA Employee Tax Equalization

SEC. 501. Section 912 (1) of chapter 1 of title 26, United States Code, is amended by striking the "or" in paragraph (C) and inserting at the end thereof the following new paragraphs:

"(E) subsection (b) of section 9 of the National Security Agency Act of 1959, as amended (50 U.S.C. §402 note), whenever the allowance would be excluded from gross income under paragraphs (1)(A) or (1)(B) of this section, or

"(F) subsection 1605 (a) of title 10, United States Code, whenever the allowance would be excluded from gross income under paragraph 1(A) of this section."

TITLE VI
FBI ENHANCED COUNTERINTELLIGENCE AUTHORITIES

Access to Consumer Reports

SEC. 601 (a) Section 1681b of title 15, United States Code, entitled "Permissible Purposes of Consumer Reports", is amended by adding the following new paragraph at the end thereof:

"(4) To the Federal Bureau of Investigation when presented with a request for a consumer report made pursuant to this subsection by the Federal Bureau of Investigation providing that the Director of the Federal Bureau of Investigation, or his designee, certifies in writing to the consumer reporting agency that such records are sought for foreign counterintelligence purposes and that there are specific and articulable facts giving reason to believe the person to whom the requested consumer report relates is an agent of a foreign power as defined in Section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. §1801). No consumer reporting agency, or officer, employee, or agent of such institution shall disclose to any person that the Federal Bureau of Investigation has sought or obtained access to a consumer report under this paragraph."

(b) Section 1681f of Title 15, United States Code, entitled "Disclosures to Government Agencies," is amended by inserting "(1)" before the existing paragraph and adding the following new paragraphs:

"(2) Notwithstanding the provision of Section 1681b of this Title, a consumer reporting agency shall furnish identifying information respecting any consumer, limited to his/her name, address, former address, place of employment, or former place of employment, to a representative of the Federal Bureau of Investigation when presented with a written request signed by the Director of the Federal Bureau of Investigation, or his designee, stating that the information is sought in connection with an authorized foreign counterintelligence investigation.

(3) No consumer reporting agency, or officer, employee, or agent of such institution, shall disclose to any person that the Federal Bureau of Investigation has sought or obtained a consumer report under this section."

Access to Social Security Information

SEC. 602. Section 1306 of Title 42, United States Code, entitled "Disclosure of Information in Possession of Department of Health and Human Services or Department of Labor," is amended by adding the following new paragraph:

"(f) FBI REQUESTS FOR FOREIGN COUNTERINTELLIGENCE PURPOSES.

Notwithstanding Section 1306(a), the Secretary of Health and Human Services, or the Secretary of Labor, as the case may be, shall disclose information in the Secretary's possession relating to the current and prior residences of a named person, when presented with a certification signed by the Director of the Federal Bureau of Investigation, or the Director's designee, stating that:

(1) The information is sought in connection with an authorized foreign counterintelligence investigation; and,

(2) There are specific and articulable facts giving reason to believe the person is an agent of a foreign power as defined in Section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. §1801)."

TITLE VII
GENERAL PROVISIONS

Increase in Employee Compensation
and Benefits Authorized by Law

SEC. 701. Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

INTELLIGENCE AUTHORIZATION ACT
FISCAL YEARS 1990

SECTION-BY-SECTION ANALYSIS
AND EXPLANATION

TITLE I
INTELLIGENCE ACTIVITIES

Section 101 lists the departments, agencies, and other elements of the United States Government for whose intelligence and intelligence-related activities the Act authorizes appropriations for Fiscal Year 1990.

Section 102 makes clear that details of the amounts authorized to be appropriated for intelligence and intelligence-related activities and personnel ceilings covered under this title for Fiscal Year 1990 are contained in a classified Schedule of Authorizations. The Schedule of Authorizations is incorporated into the Act by this section.

Section 103 authorizes the Director of Central Intelligence in Fiscal Year 1990 to expand the personnel ceilings applicable to the components of the Intelligence Community under Sections 102 and 202 by an amount not to exceed two percent of the total of the ceilings applicable under these sections. The Director may exercise this authority only when necessary to the performance of important intelligence functions or to the maintenance of a stable personnel force, and any exercise of this authority must be reported to the two intelligence committees of the Congress.

TITLE II
INTELLIGENCE COMMUNITY STAFF

Section 201 authorizes appropriations in the amount of \$ _____ for the staffing and administration of the Intelligence Community Staff for Fiscal Year 1990.

Section 202 provides details concerning the number and composition of Intelligence Community Staff personnel.

Subsection (a) authorizes full-time personnel for the Intelligence Community Staff for Fiscal Year 1990, and provides that personnel of the Intelligence Community Staff may be permanent employees of the Staff or detailed from various elements of the United States Government.

Subsection (b) requires that detailed employees be selected so as to provide appropriate representation from the various departments and agencies engaged in intelligence and intelligence-related activities.

Subsection (c) requires that personnel be detailed on a reimbursable basis except for temporary situations.

Section 203 provides that the Director of Central Intelligence shall utilize existing statutory authority to manage the activities and to pay the personnel of the Intelligence Community Staff. This language reaffirms the statutory authority of the Director of Central Intelligence and clarifies the legal status of the Intelligence Community Staff. In the case of detailed personnel, it is understood that the authority of the Director of Central Intelligence to discharge personnel extends only to discharge from service at the Intelligence Community Staff and not from federal employment or military service.

TITLE III
CENTRAL INTELLIGENCE AGENCY
RETIREMENT AND DISABILITY SYSTEM

Section 301 authorizes Fiscal Year 1990 appropriations in the amount of \$_____ for the Central Intelligence Agency Retirement and Disability Fund for Fiscal Year 1990.

TITLE IV
CENTRAL INTELLIGENCE AGENCY
ADMINISTRATIVE PROVISIONS

TITLE V
NSA/DIA
PERSONNEL AUTHORITIES IMPROVEMENTS

Section 501 would amend section 912(a) of the Internal Revenue Code of 1954 to grant tax treatment of allowances currently provided to certain Department of Defense (DoD) personnel under section 9(b)(1) of the National Security Agency Act of 1959 and section 1605 of title 10, United States Code, comparable with that provided to Foreign Service employees for similar allowances.

The Intelligence Authorization Act of 1982 (Public Law 97-89) amended the National Security Agency Act of 1959 to allow the Director of the National Security Agency to provide allowances and benefits to certain civilian employees of DoD which were comparable to those provided to the Department of State's Foreign Service and to employees of the Central Intelligence Agency. During the implementation of this statute, it was discovered that comparability of the allowances could not be achieved unless the tax exemption provided for Foreign Service and CIA employees under section 912(1)(A) and (B) of the Internal Revenue Code was also available for civilians employed and assigned to the National Security Agency.

The Intelligence Authorization Act for Fiscal Year 1984 (Public Law 98-215) amended title 10, United States Code, to provide certain allowances and benefits to personnel assigned to Defense Attaché Offices and Defense Intelligence Agency (DIA) Liaison Offices overseas comparable to those provided by the Secretary of State to officers and employees of the Foreign Service under chapter 9 of title I of the Foreign Service Act of 1980 and the provisions of 5 U.S.C. §5924(4). Although section 1605 was designed to establish equivalence between DAO/DIALO civilians and Foreign Service personnel with respect to many allowances and benefits, the actual value of the allowances and benefits to DAO and DIALO personnel is less than the value of the benefits to Foreign Service personnel, since the benefits granted under the Foreign Service Act are tax-free by virtue of section 912 of the Internal Revenue Code while those granted under section 1605 are not exempt from taxation.

The current inequity in taxation has been compounded by subsection 1232(b) of the Tax Reform Act of 1986 (Public Law 99-514). This subsection provides that civilian employees of DoD stationed in Panama may exclude from gross income allowances which are comparable to allowances excludable under section 912(a) of the Internal Revenue Code by employees of the

Department of State stationed in Panama. Thus, it appears that any Defense Intelligence Agency or National Security Agency personnel stationed in Panama will, in future taxable years, be able to exclude from their gross income Foreign Service-equivalent allowances and benefits granted to them.

As a result of the provisions discussed above, there is now a situation where the tax laws treat identical allowances and benefits differently for NSA and DIA civilian personnel stationed overseas, from that of Foreign Service personnel. Moreover, under the Tax Reform Act of 1986, the tax laws now treat identical allowances and benefits differently for NSA and DIA civilian personnel in Panama from all other NSA and DIA civilian personnel stationed overseas. The addition of the proposed paragraphs (E) and (F) to section 912(l) of the Internal Revenue Code of 1954 will provide equal tax treatment for identical allowances and benefits received by NSA, DIA and Foreign Service civilian personnel stationed around the world.

The Congress is mindful of this problem and has indicated a willingness to assist. A provision identical to the amendment sought here was included in S. 1243, the Fiscal Year 1988 Intelligence Authorization Act as reported by the Senate Select Committee on Intelligence. During floor action on July 23, 1987, however, SSCI Chairman Boren was compelled to move to strike the provision from S. 1243 on account of a jurisdictional dispute. He indicated, however, that the Congress would be very receptive to the provision in the future (Congressional Record, July 23, 1987, pp. S 10591-92).

The provision was resubmitted to the Congress as Section 601 of the Administration's draft Fiscal Year 1989 Intelligence Authorization bill. By letter of 26 April 1988, Chairman Stokes of the Permanent Select Committee on Intelligence wrote to Chairman Rostenkowski of the House Ways and Means Committee concerning the proposal. By letter dated 25 May 1988, the Director of Central Intelligence wrote to Chairman Rostenkowski soliciting favorable consideration of the proposal by the Committee. The 100th Congress adjourned, however, without taking action on the proposal.

Section 502 is resubmitted again this year in hopes that it will be enacted.

TITLE VI
ENHANCED FBI COUNTERINTELLIGENCE AUTHORITIES

Access to Consumer Reports

Section 601 amends the Fair Credit Reporting Act to require consumer reporting agencies to provide information to the Federal Bureau of Investigation in certain foreign counterintelligence investigations. The Right to Financial Privacy Act (RFPA) was recently amended to provide the FBI mandatory access to financial records in certain foreign counterintelligence investigations. Because consumer agencies are not subject to the RFPA, however, this change is necessary to provide similar consumer credit information.

The change will provide a means by which the FBI can obtain consumer credit information, including current and former addresses and employers, when it is certified by the Director that the report relates to an agent of a foreign power, or is necessary in connection with an authorized foreign counterintelligence investigation. The provision additionally prohibits disclosure of the fact the request was made or information obtained.

Section 602 provides a means for the Federal Bureau of Investigation to obtain information relating to current and former residence and employment of individuals believed to be acting on behalf of a foreign power. The information obtained under this provision will permit the FBI to locate an agent of a foreign power, obtain historical data on actions by such an agent, and, in certain cases, assist in determining the veracity of such an agent. This information is not readily available to the FBI from any single source and is often impossible to obtain through investigation without compromising sources of information or the confidentiality of an investigation.

TITLE VII
GENERAL PROVISIONS

Section 701 authorizes the increase of appropriations authorized by the Act for salary, pay, retirement and other benefits for federal employees as necessary for increase in such benefits authorized by law.

INTELLIGENCE AUTHORIZATION ACT
FISCAL YEAR 1990

CHANGES IN EXISTING LAW

NOTE: Where applicable, changes in existing law are shown as follows: existing law in which no change is proposed is shown in roman; existing law proposed to be struck is enclosed in brackets; and new material is underscored.

TITLE I - INTELLIGENCE ACTIVITIES

Section 101: No substantive change.

Section 102: No substantive change.

Section 103: No substantive change from the Fiscal Year
1989 Intelligence Authorization Act

TITLE II - INTELLIGENCE COMMUNITY STAFF

Section 201: No substantive change.

Section 202: No substantive change.

Section 203: No substantive change.

TITLE III -
CENTRAL INTELLIGENCE AGENCY
RETIREMENT AND DISABILITY SYSTEM

Section 301: No substantive change.

TITLE IV - ADMINISTRATIVE PROVISIONS

TITLE V
NATIONAL SECURITY AGENCY
PERSONNEL AUTHORITIES IMPROVEMENTS

Section 501: Amends Section 912(1) of chapter 1 of title 26, United States Code, to read as follows:

The following items shall not be included in gross income, and shall be exempt from taxation under this subtitle:

(1) Foreign areas allowances: in the case of civilian officers and employees of the Government of the United States, amounts received as allowances, or otherwise (but not amounts received as post differentials) under--

(A) chapter 9 of title I of the Foreign Service Act of 1980,

(B) section 4 of the Central Intelligence Agency Act of 1949, as amended (50 U.S.C., 403e),

(C) title II of the Overseas Differentials and Allowances Act, [or]

(D) subsection (e) or (f) of the first section of the Administrative Expenses Act of 1946, as amended, or section 22 of such Act, [.]

"(E) subsection (b) of section 9 of the National Security Agency Act of 1959, as amended (50 U.S.C. §402 note), whenever the allowance would be excluded from gross income under paragraphs (1)(A) or (1)(B) of this section, or

"(F) subsection 1605(a) of title 10, United States Code, whenever the allowance would be excluded from gross income under paragraph 1(A) of this section."

TITLE VI
ENHANCED FBI COUNTERINTELLIGENCE AUTHORITIES

Section 601 (a): Amends Section 1681b of title 15, United States Code, entitled "Permissible Purposes of Consumer Reports", by adding the following new paragraph at the end thereof:

A consumer reporting agency may furnish a consumer report under the following circumstances and no other:

* * * * *

"(4) To the Federal Bureau of Investigation when presented with a request for a consumer report made pursuant to this subsection by the Federal Bureau of Investigation providing that the Director of the Federal Bureau of Investigation, or his designee, certifies in writing to the consumer reporting agency that such records are sought for foreign counter-intelligence purposes and that there are specific and articulable facts giving reason to believe the person to whom the requested consumer report relates is an agent of a foreign power as defined in Section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. §1801). No consumer reporting agency, or officer, employee, or agent of such institution shall disclose to any person that the Federal Bureau of Investigation has sought or obtained access to a consumer report under this paragraph."

(b): Amends Section 1681f of Title 15, United States Code, entitled, "Disclosures to Government Agencies," to read as follows:

(1) Notwithstanding the provisions of section 1681b of this title, a consumer reporting agency may furnish identifying information respecting any consumer limited to his name, address, former addresses, places of employment, or former places of employment, to a government agency.

(2) Notwithstanding the provision of Section 1681 (b) of this Title, a consumer reporting agency shall furnish identifying information respecting any consumer, limited to

his/her name, address, former address, place of employment, or former place of employment, to a representative of the Federal Bureau of Investigation when presented with a written request signed by the Director of the Federal Bureau of Investigation, or his designee, stating that the information is sought in connection with an authorized foreign counterintelligence investigation.

(3) No consumer reporting agency, or officer, employee, or agent of such institution, shall disclose to any person that the Federal Bureau of Investigation has sought or obtained a consumer report under this section.

Section 602: Amends Section 1306 of Title 42, United States Code, entitled "Disclosure of Information in Possession of Department of Health and Human Services or Department of Labor," to be amended by adding the following new paragraph at the end thereof:

"(f) FBI REQUESTS FOR FOREIGN COUNTERINTELLIGENCE PURPOSES

Notwithstanding Section 1306(a), the Secretary of Health and Human Services, or the Secretary of Labor, as the case may be, shall disclose information in the Secretary's possession relating to the current and prior residences of a named person, when presented with a certification signed by the Director of the Federal Bureau of Investigation, or the Director's designee, stating that:

(1) The information is sought in connection with an authorized foreign counterintelligence investigation; and,

(2) There are specific and articulable facts giving reason to believe the person is an agent of a foreign power as defined in Section 101 of the Foreign Intelligence Surveillance Act of 1978 ((50 U.S.C. §1801))."

TITLE VII
GENERAL PROVISIONS

Section 701: No substantive change.

INTELLIGENCE AUTHORIZATION ACT,
FISCAL YEAR 1989

COST ANALYSIS

TITLE I
INTELLIGENCE ACTIVITIES

SEC. 101. Fiscal Year 1989 authorizations are contained in the Classified Schedule of Authorizations.

SEC. 102. Cost analysis not applicable.

SEC. 103. Cost contingent upon exercise of permissive authority.

TITLE II
INTELLIGENCE COMMUNITY STAFF

SEC. 201. The Fiscal Year 1989 authorization is
\$23,745,000.00.

SEC. 202. Cost analysis not applicable.

SEC. 203. Cost analysis not applicable.

Page Denied

TITLE IV
CENTRAL INTELLIGENCE AGENCY
ADMINISTRATIVE PROVISIONS

SEC. 401. Cost contingent upon exercise of the authority granted.

SEC. 402. Cost contingent upon exercise of the authority granted.

TITLE V
SUPPORT FOR DEFENSE INTELLIGENCE
COLLECTION ACTIVITIES

SEC. 501. Enactment of this legislation should not result in any additional cost to the Department of Defense or the Federal Government.

TITLE VI
NSA/DIA
PERSONNEL AUTHORITIES IMPROVEMENTS

SEC. 601. The enactment of this section would result in the loss to the government of income tax revenues otherwise collectible on the exempted sums.

TITLE VII
ENHANCED FBI COUNTERINTELLIGENCE AUTHORITIES

Access to Consumer Reports

SEC. 701. This change will allow the FBI to obtain accurate reliable information, often unobtainable from any other source. There are no known costs associated with the change. In many cases the provision will save a significant expenditure of man hours necessary to develop similar information from other sources. In other cases, without this provision, investigations will be terminated because insufficient information is available to further identify the subject and/or continue the investigation.

SEC. 702. This change will allow the Federal Bureau of Investigation to obtain accurate reliable information, often unobtainable from any other source. There are no known costs associated with the change. In many cases the provision will save a significant expenditure of man hours necessary to develop similar information from other sources. In other cases, without this provision, investigations will be terminated because insufficient information is available to further identify the subject and/or continue the investigation.

TITLE VIII
GENERAL PROVISIONS

SEC. 801. Cost analysis not applicable.